

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal Nos.
	:	
	:	1:01-CR-193
	:	1:05-CR-006
v.	:	1:05-CR-203
	:	1:05-CR-228
JOHN MIZIC	:	1:05-CR-232
	:	1:05-CR-252
	:	1:05-CR-253
	:	1:05-CR-256
	:	1:05-CR-259
	:	1:05-CR-284
	:	1:05-CR-285
	:	1:05-CR-287
	:	1:05-CR-288
	:	1:05-CR-294
	:	1:05-CR-296
	:	1:05-CR-305
	:	1:05-CR-306
	:	1:05-CR-324
	:	1:05-CR-367
	:	1:05-CR-440
	:	1:05-CR-456
	:	
	:	Judge Sylvia H. Rambo
	:	(Electronically Filed)
	:	

JOINT MOTION TO CONTINUE SENTENCING

AND NOW comes the defendant, John Mizic, through his attorney, James V. Wade, Federal Public Defender and files this Joint Motion to Continue Sentencing and in support thereof, the following is averred:

1. The above cases encompass charges of escape, bank fraud, and possession of stolen mail in the Middle District of Pennsylvania as well as similar charges in other federal judicial districts that were transferred to the Middle District pursuant to Rule 20 of the Federal Rules of Criminal Procedure.
2. On January 27, 2005 and on January 5, 2006, Mr. Mizic pled guilty to all charges pursuant to a Rule 11 (c)(1)(C) plea agreement.
3. The Court initially deferred its decision as to the acceptance or rejection of the Rule 11 (c)(1)(C) plea agreement. The Court accepted the plea agreement on January 5, 2006.
4. On November 29, 2006, the Federal Public Defender's Office received the final presentence report.
5. Sentencing is currently scheduled for January 25, 2007, before Your Honorable Court.
6. Recently the United States Attorney's Office was informed that the case agent in these matters, United States Postal Inspector, Chuck Katerman, was tasked to attend mandatory training on the scheduled sentencing date.
7. Both the government and Mr. Mizic believe the Postal Inspector is a critical witness and should be present at the hearing where Mr. Mizic's sentence will be imposed.

8. Counsel requests that the sentencing take place on Thursday, February 15, 2007.
9. First Assistant United States Attorney Carlson concurs with the granting of this request.

WHEREFORE, for the foregoing reasons, it is respectfully requested that this Honorable Court grant the within Joint Motion to Continue Sentencing until February 15, 2007.

Respectfully submitted,

Date: January 17, 2007

s/ James V. Wade
JAMES V. WADE, ESQUIRE
Federal Public Defender
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Attorney for John Mizic

CERTIFICATE OF SERVICE

I, James V. Wade, Federal Public Defender do hereby certify that on this date I served a copy of the foregoing **JOINT MOTION TO CONTINUE SENTENCING**, via Electronic Case Filing, or by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

Martin C. Carlson, Esquire

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

John Vought

[REDACTED]
[REDACTED]
[REDACTED]

John Mizic

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Respectfully submitted,

Date: January 17, 2007

s/ James V. Wade

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